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JUL 28 2006

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Paul HOWLEY et al

Patent App. 10/535,371

Filed 4 May 2005

Conf. No. 9349

For RECOMBINANT POXVIRUS COMPRISING AT LEAST TWO
COWPOX ATI PROMOTERS

Art Unit 1648

Examiner Hurt, S

Hon. Commissioner of Patents
Box 1450
Alexandria, VA 22313-1450

RESPONSE

This is in response to the Office Action mailed
17 July 2006.

REMARKS

Applicants provisionally elect to prosecute the claims of Group I, that is, claims 20 through 35 and 41. The election is made with traverse.

Applicants ask that the Examiner reconsider her requirement for restriction because there is a common technical feature that distinguishes over the prior art and links all of the claims within the meaning of PCT Rule 13.2. That common technical feature is a recombinant poxvirus comprising in the viral genome at least two expression cassettes, each comprising the cowpox ATI promoter, or a derivative thereof, and a coding sequence, wherein